

MESSAGE NO: 9089113

MESSAGE DATE: 03/30/1999

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE:

TER-Termination Notice

PUBLIC



NON-PUBLIC



SUB-TYPE:

FR CITE:

FR

FR CITE DATE:

REFERENCE

MESSAGE #

(s):

CASE #(s):

A-462-103

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 08/01/1997

TO

07/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF TERMINATION OF ADMINISTRATIVE REVIEW OF ANTIDUMPING
DUTY ORDER/FINDING OF TITANIUM SPONGE FROM THE RUSSIAN FEDERATION (A-462-
103)

MESSAGE NO: 9089113

DATE: 03 30 1999

CATEGORY: ADA

TYPE: TER

REFERENCE:

REFERENCE DATE:

CASES: A - 462 - 103

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PERIOD COVERED: 08 01 1997 TO 07 31 1998

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS

PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NOTIFICATION OF TERMINATION OF ADMINISTRATIVE REVIEW
OF ANTIDUMPING DUTY ORDER/FINDING OF TITANIUM SPONGE
FROM THE RUSSIAN FEDERATION (A-462-103)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY
FINDING/ORDER ON TITANIUM SPONGE FROM THE RUSSIAN FEDERATION
A-462-103, COVERING THE PERIOD 08/01/1997 THROUGH 07/31/1998 HAS
BEEN TERMINATED AT THE REQUEST OF TMC TRADING INTERNATIONAL, LTD.
THIS NOTICE OF TERMINATION WAS PUBLISHED IN THE FEDERAL REGISTER
ON 12/09/1998. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

DURING THE PERIOD LISTED BELOW FOR THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

TITANIUM SPONGE FROM THE RUSSIAN FEDERATION

(A-462-103) PERIOD: (08/01/1997 - 07/31/1998)

LIQUIDATE ALL ENTRIES FROM ALL FIRMS

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. ON 08/31/1998, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER (63 FR 46215) ITS NOTICE OF REVOCATION OF THE ANTIDUMPING FINDINGS ON TITANIUM SPONGE FROM THE RUSSIAN FEDERATION, REPUBLIC OF KAZAKHSTAN, AND THE REPUBLIC OF UKRAINE AND THE ANTIDUMPING DUTY ORDER ON TITANIUM SPONGE FROM JAPAN. THE EFFECTIVE DATE OF THESE REVOCATIONS IS 08/13/1998.

THEREFORE, ALL ENTRIES OF TITANIUM SPONGE FROM RUSSIA ON OR AFTER 08/13/1998 SHOULD BE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION WITHOUT REGARD TO ANTIDUMPING DUTIES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAYS INTEREST ON OVERPAYMENTS. OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED

IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE

ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT MARK MANNING AT 202-482-3936, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party